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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLAHOMA**

**FILED**

**JUN 12 2003**

**MICHAEL L. WILLIAMS, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLA**

**In re: JAMES E. WINKELMANN )  
a/k/a JIM WINKELMANN f/b/d/a )  
JIM WINKELMANN ASSOCIATES )  
and KAREN L. WINKELMANN, )**

**Case No. 03-00453-B )  
Chapter 7 )**

**DEBTORS. )**

**Honorable. Dana L. Rasure )**

**AMERICAN EXPRESS TRAVEL RELATED )  
SERVICES COMPANY, INC., )**

**Plaintiff, )**

**Adv. No. 03-0084-R )**

**v. )**

**JAMES E. WINKELMANN )  
and KAREN L. WINKELMANN, )**

**Defendants. )**

**STIPULATED JUDGMENT IN SETTLEMENT OF AMERICAN  
EXPRESS TRAVEL RELATED SERVICES COMPANY, INC.'S  
COMPLAINT TO DETERMINE DISCHARGEABILITY OF DEBT**

American Express Travel Related Services Company, Inc. ("Plaintiff"), and James E. Winkelmann and Karen L. Winkelmann ("Defendants"), by and through their undersigned counsel, hereby stipulate as follows:

1. Judgment in the above matter shall be entered in favor of Plaintiff with regard to account number 3727-976342-32004 in the principle sum of \$6,214.72 ("Judgment Amount"), plus interest at the legal rate from the date of entry of Judgment, and this sum is non-dischargeable pursuant to 11 U.S.C. §523(a)(2)(A) and (a)(2)(C), except as further provided.

2. Execution on the Judgment shall be stayed so long as Defendants pay the sum of \$3,600.00 ("Settlement Amount") to Plaintiff as follows: \$100.00 a month for

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thirty-six (36) consecutive months. The first monthly payment of \$100.00 shall be due on or before July 1, 2003 and all subsequent payments shall be due on or before the first (1<sup>st</sup>) day of each consecutive month. Upon payment of the Settlement Amount, Judgment shall be satisfied in full.

3. A monthly payment shall be considered late, delinquent or in default if it is not received within ten (10) days of the due date. Any payments becoming due after Defendants have furnished insufficient funds to Plaintiff shall thereafter be made in the form of money order or certified funds. Plaintiff shall be allowed to contact Defendants directly regarding payment and/or default under this Stipulated Judgment.

4. Defendants shall submit their payments, made payable to "American Express", directly to BECKET & LEE LLP, P.O. Box 3001, Malvern, PA 19355 or at any future address designated by Plaintiff in writing. Defendants shall reference account number 3727-976342-32004 on all tendered payments.

5. Defendants may prepay all or any portion of the Settlement Amount at any time without penalty, but a minimum payment of \$100.00 shall be due each consecutive month.

6. In the event that Defendants fail to make timely payments as hereinabove stipulated, after written notice to Defendants, Defendants shall have seven (7) days from date of said notice to cure the default. If cure is not made, Plaintiff shall have the right to proceed with execution upon said Judgment for the unpaid balance, shall be allowed to charge interest upon the unpaid Judgment Amount at the legal rate, and shall be allowed to add any reasonable costs of collection, including reasonable attorneys' fees incurred by Plaintiff at anytime whatsoever.

7. Plaintiff remains entitled to distribution from the bankruptcy estate. Any amounts received from the bankruptcy estate in combination with any monies paid by Defendants, which exceed the account balance, shall be returned to Defendants.

8. In the event that Defendants' bankruptcy is dismissed or discharge is denied, Plaintiff remains entitled to recover the full account balance as of the petition date, less credit given for all amounts received hereunder.

WHEREFORE, the parties pray this Honorable Court for an Order approving the instant Stipulated Judgment and closing the adversary matter pursuant to the terms and conditions of the Stipulated Judgment.

Respectfully submitted,

Dated: 6/4/03

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Dated: 6/9/03

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Defendant

**Dated:** 6/9/03

**By:** Karen L. Winkelmann  
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